

REMARKS

Claims 1, 3, 5, 7, 8, 10, 11, and 13, 15-16 are pending in the application. Claims 2, 4, 6, 9, 12 and 14 have been cancelled. Claims 1 and 13 have been amended. No new matter has been added.

Claims 13 has been rejected under 35 U.S.C. § 112, second paragraph. Applicants have amended claim 13 to address the misspelling pointed out by the Examiner.

Claims 1 and 14-16 have been rejected under 35 U.S.C. 102(b) as allegedly anticipated by Cremades, et al. Applicants respectfully traverse this rejection.

Claim 1, as amended, is directed to a composition having a neuroprotective amount of pGLU-GLU-PRO-amide in a pharmaceutically acceptable carrier, wherein said neuroprotective amount is an amount of about 4.0 mg/kg to about 10 mg/kg to reduce Glu induced neurotoxicity in brain, spinal cord and/or retina. Cremades et al. describes giving 100 ug to a 35 gm mouse to treat the pituitary gland (which is not a part of the central nervous system). This amounts to about 3 mg/kg dose in Cremades. The currently claimed range of about 4.0-10.0 mg/kg to reduce Glu induced neurotoxicity in brain, spinal cord and/or retina is outside the range of Cremades, et al.

Cremades teaches nothing about formulations necessary for administering a compound to the central nervous system, or any part thereof. Moreover, Cremades et al. states about EEP, "[O]ur understanding of their physiological roles, however, is not yet complete." (page 63, column 2, lines 3-4.) Hence, Cremades does not anticipate the present invention under 35 U.S.C. 102(b).

Reconsideration is respectfully requested.

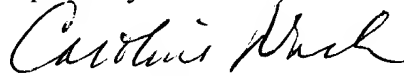
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